



UNITED STATES PATENT AND TRADEMARK OFFICE

SO

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,856	01/12/2001	Daniel S. Lipkin	360322000300	1852
20872	7590	02/08/2005	EXAMINER	
MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105-2482			SCHLAIFER, JONATHAN D	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,856

Applicant(s)

LIPKIN ET AL.

Examiner

Jonathan D. Schlaifer

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 3-7 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,8-12 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/3/01, 6, 18/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: IDS 9/24/01, 12/04/01.

DETAILED ACTION

1. This action is responsive to communications: Application 09/759,856, filed on 01/12/2001. Prior art was filed on 4/3/2001, 6/18/2001, 9/24/2001, and 12/04/2001.
2. Claims 1-14 are pending in this case. Claims 1-2, 8-12, and 14 have been elected.
Claims 1, 8, 10-12 and 14 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-2, 8-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al. (USPN 6,018,343—filing date 9/27/1996), hereinafter Wang.**
4. **Regarding independent claim 1,** Wang discloses a computer implemented method for generating web content (see col. 3, lines 35-50, it is a Java widget to generate Web content) comprising the acts of: reading a control file (this is inherent to the operation of a widget); loading a model file (in lines 40-45, there is a model file, so it must have been loaded); processing the model file (the model file is processed to offer GUI-paradigms, see lines 40-50); transforming the model file using a widget library (see col. 3, lines 35-50, it is a Java widget to generate Web content based on a model); transforming the transformed model file using a view transformation file to produce the web content (see

col. 3, lines 35-50, it is a Java widget to generate Web content based on a model, this would inherently require a file to produce the web content).

5. **Regarding dependent claim 2**, Wang discloses that the act of processing the model file includes processing a tag from a tag library (this would be inherent to producing web content, which is Web based), generating a Java class (see col. 3, lines 35-50, it is a Java widget to generate Web content) and producing a model instance (the model file is processed to offer GUI-paradigms, see lines 40-50).
6. **Regarding independent claim 8**, it is a more broadly claimed version of the limitations contained in claims 1 and 2 and it is rejected under similar rationale.
7. **Regarding dependent claim 9**, Wang discloses that the control file includes identification and link transformation for the model file, the model file includes data and interactivity for the web content and the view file includes style and presentation for the web content because see col. 3, lines 35-50, it is a Java widget to generate Web content based on a model, these features of the control file, the model file, and the view file would inherently be encompassed in such a setup.
8. **Regarding independent claim 10**, it is an apparatus that performs the method of claim 1 and is rejected under similar rationale.
9. **Regarding independent claim 11**, it is a variant of the method of claim 1 except that it refers to serialized data. However, a Web/Java application platform as in Wang inherently operates on serialized data. Hence, it can be rejected in an analogous manner.
10. **Regarding independent claim 12**, it is an apparatus that performs the method of claim 1 and is rejected under similar rationale.

Art Unit: 2178

11. **Regarding independent claim 14**, it is a series of computer readable program products that perform the method of claim 1, and is rejected under similar rationale

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 6,132,969 (filing date 6/19/1998)—Stoughton et al.

USPN 6,585,779 (filing date 11/20/1997)—Becker

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Schlaifer whose telephone number is (571) 272-4129. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS


STEPHEN HONG
SUPERVISORY PATENT EXAMINER